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4	Attorney for Plaintiffs	
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9	IN THE UNITED STATES DISTRICT COURT	
10	FOR THE NORTHERN DISTRICT OF CALIFORNIA	
11	RUSSELL COHN, PATRICIA J. COHN,	Case No. C04-1843 BZ
12	Plaintiff, vs.	PLAINTIFFS' EX PARTE REQUEST
13		FOR EXTENSION TO FILE PRETRIAL STATEMENTS, TRIAL
14	CONTRA COSTA HEALTH SERVICES DEPARTMENT; CITY OF ORINDA,	BRIEF, MOTIONS IN LIMÍNE AND RELATED MATTERS UNTIL AFTER
15	Does 1 through 50,	DECEMBER 7, 2005 DETERMINATION OF MOTION TO
16	Defendants.	AMEND AND REOPEN DISCOVERY
17		Date Filed (e-file): November 28, 2005
18		Dept.: Courtroom G, 15 <sup>th</sup> floor, SF Judge: Hon. Bernard Zimmerman (Magist.)
19		
20	TO THE HONORABLE COURT, ALL PARTIES, AND THEIR COUNSELS OF	
21	RECORD:	
22	Pursuant to Local Rule 7-11, Plaintiffs RUSSELL and PATRICIA COHN	
23	("Plaintiffs") respectfully submit this ex parte application requesting that the compliance date	
24	of December 1, 2005 for filing the pretrial statements, proposed findings of fact, motions in	
25	limine, and all related documents pursuant to this Court's September 20, 2004 order be	
26	extended approximately two weeks to December 15, 2005, pending determination of	
27	Plaintiffs' pending motions for leave to amend, reopen discovery, and continue the trial date.	

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PLAINTIFFS' EX PARTE APPLICATION REQUESTING **CONFERENCE** 

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The pretrial conference is presently set for December 20, 2005. If Plaintiffs' motions are

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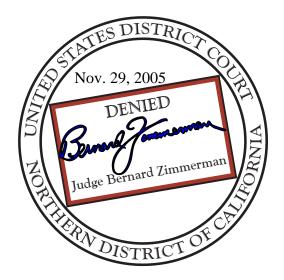
well-taken, a vastly different pretrial statement, proposed findings of fact, trial brief, exhibit set, and set of pretrial documents shall be required. If these documents must be submitted by December 1, 2005, plaintiffs shall incur unnecessary costs in the event their motions are granted on December 7, 2005, as plaintiffs' counsel will otherwise spend several hours on 11/29 and 11/30 to comply with the existing deadline, and then have to re-do the documents and briefs to reflect the disposition of the December 7, 2005 matters.

This ex parte application is respectfully submitted without oral argument for the Court's decision at the Court's earliest opportunity, and may appropriately be considered a supplement to the ex parte application filed November 21, 2005.

Dated: November 28, 2005

Andrew W. Shalaby, Attorney fo

**Plaintiffs** 



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